IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.522 OF 2005
IN
SECOND APPEAL NO.263 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr.S.M.Railkar for applicant
Mr.S.P.Thorat for respondent No.1

CORAM : P.V.KAKADE, J.
DATE : 12TH AUGUST, 2005

P.C.:

1. Heard both sides. Perused the record.

2. Both the courts below have concurrently found that the suit is for perpetual injunction is to be decreed on the ground that the appellant- defendant had threatened to encroach over the suit property. At the time of admission of the appeal the order of maintenance of status-quo as ad-interim relief was granted. There is no reason why the said

order should not be confirmed with a rider that as on today there is no encroachment made by the appellant-defendant on the suit property. Hence the application stands disposed of by confirming the order passed on 23.3.2005 in respect of maintenance of status-quo pending the appeal. The Application stands disposed of.